

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Jerussi et al. Confirmation No.: 2257
Serial No.: 10/806,423 Art Unit: 1617
Filed: March 23, 2004 Examiner: Karol, J. L.
For: Derivatives of (-)-Venlafaxine and Attorney Docket No.: 4821-536-999
Methods of Preparing and Using the (CAM 208423-999577)
Same

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

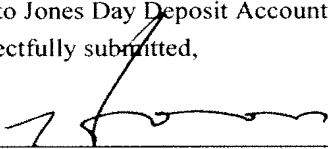
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 10, 2009 of the Primary Examiner finally rejecting claim 92 of the above-identified application.

The item(s) checked below are appropriate:

1. ☒ An extension of time for responding to the final rejection for three month(s):
☐ was filed on
☒ is respectfully requested herewith.
2. ☒ A timely response to the final rejection is filed herewith.
3. ☒ A fee in the amount of **\$540.00** is:
☒ Required.
☐ Not required (Fee paid in prior appeal).
4. ☐ Applicant has qualified for the 50% reduction in fee for an independent inventor, non-profit organization or small business concern and a fee in the amount of **\$270.00** is:
☐ Required.
☐ Not required (Fee paid in prior appeal).
5. ☒ The fees will be paid via EFS-Web. If any other fees are required, the Director is authorized to charge such fees to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: September 10, 2009


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